**THE HON'BLE SRI JUSTICE V.ESWARAIAH**

**WRIT PETITION No.3077 of 2006**

Between:

Kotaru Satyanarayana. .. PETITIONER

and

The Station House Officer,
Devarapalli Police Station and others.
..
RESPONDENTS

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**ORDER:**

The petitioner seeks to issue a Writ of Mandamus declaring the

action of respondents 1 to 3 in interfering with the civil disputes over the property situated at Dr.No.2-174, Devarapally Village and Mandal, West Godavari District, as illegal and arbitrary.

The learned counsel for the petitioner stated that the petitioner is the owner of the said property. At the instance of the 4th respondent, respondents 1 and 3 illegally interfering with the civil disputes and, therefore, he made a representation, dated 04-02-2006, before the 2nd respondent to take appropriate action against the 1st and 3rd respondents and not to interfere with the civil disputes.

The learned Government Pleader for Home stated that basing on the said representation, the 2nd respondent got the matter enquired into through the Inspector of Police, Kovvur, West Godavari District, who in turn submitted a detailed report, dated 06-02-2006, stating that there are certain land disputes among the petitioner and the 4th respondent and a civil suit O.S.No.347 of 2004 was filed on the file of Junior Civil Judge, Kovvur and the same was pending. Both the petitioner and the 4th respondent are at loggerheads for sometime.

It is further stated that on a report filed by the 4th respondent on 03-02-2006 against the petitioner alleging that he has criminally trespassed into his lands on 02-02-2006 at 8.00 a.m., beat him threatening with dire consequences, a case in Cr.No.17 of 2006 was registered for the offences under Section 447, 323 and 506(2) IPC and the investigation is pending.

It is further stated that on a complaint filed by the petitioner, a case in Cr.No.181 of 2004 was registered for the offences under Section 447, 427, 323, 506(2) read with 34 IPC and read with 156(3) Cr.P.C. against the 4th respondent. Thus, all the allegations made by the petitioner were denied.

Finally, it is stated that as the matter is pending in the civil court and the matter is of civil in nature, the police cannot interfere with the civil disputes. It is stated that they have taken steps only to preserve peace and maintain law and order, between the two parties by frequently visiting the disputed site without interfering with the civil matters.

In view of the aforesaid report submitted by the Inspector of Police, Kovvur, stating that the police are not at all interfering with the civil matters, no orders need be passed in this writ petition.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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13-02-2007

Prv